



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,124	03/22/2002	Chris Sandoval	FMC 1371 PUSP / 201-0013	5947
28395	7590	05/23/2006	EXAMINER	
BROOKS KUSHMAN P.C./FGTL 1000 TOWN CENTER 22ND FLOOR SOUTHFIELD, MI 48075-1238			DESHPANDE, KALYAN K	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/063,124	SANDOVAL ET AL.	
	Examiner	Art Unit	
	Kalyan K. Deshpande	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/13/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. The following is a non-final office action in response to the communications received on March 22, 2002. Claims 1-20 are now pending in this application.

Information Disclosure Statement

2. The examiner has reviewed the patents and articles supplied in the Information Disclosure Statements (IDS) provided on May 13, 2002.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (Baker, Sunny; Baker, Kim; The Complete Idiot's Guide to Project Management, Alpha Books, 2000).

As per claim 1, Baker et al. teach:

A method for implementing a best practice idea within an organization comprising:

receiving at least one best practice idea from one or more best practice requesters (see pp. 55-60; where a best practice idea is selected from a list of received project ideas.);

assigning the best practice idea to a best practice process ownership team and at least one functional champion within the organization wherein the process ownership team and the at least one functional champion analyze the best practice idea to confirm that the best practice idea is a best practice, assess the feasibility of the best practice, and are responsible for the development and implementation of the best practice idea (see pp. 47-60; where functional management and core project implementation teams analyze a project based on several risks and constraints to determine the best ideas to implement.);

presenting the best practice idea to at least one executive sponsor for approval and commitment wherein the at least one executive sponsor possesses the executive authority to exercise organizational resources necessary to develop and implement the best practice idea (see pp. 50; where a review and approval team approves projects.);

defining a project plan for the best practice idea wherein the project plan tracks any necessary steps for developing and implementing the best practice idea (see pp. 89-98; where a project plan is developed. The project plan establishes tasks for developing and implementing the idea.);

developing the best practice idea according to the project plan (see pp. 272-278; where the project is developed according to the project plan.); and

Baker et al. fail to explicitly teach “deploying the best practice idea within at least one organizational function. Baker et al. do teach assembling an implementation team (see p. 51; where a core implementation team is chosen.) and defining functional

Art Unit: 3623

management responsible for a business function (see p. 50; where functional management are identified.). Assembling an implementation team and identifying a functional organization the project is going to affect implies that the project plan will be deployed to that functional unit. The advantage of deploying a project plan to an organization function is that this step determines the actual realization of the project thereby improving the performance and efficiency of an organization. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to “deploy the best practice idea within at least one organizational function” in combination with the teachings of Baker et al. in order to improve the performance and efficiency of the organization, which is a goal of Baker et al. (see p. 14).

As per claim 2, Baker et al. teach:

The method of claim 1 wherein the best practice process ownership team and the at least one functional champion additionally assess the novelty and priority of the best practice idea with respect to previously identified best practice ideas (see pp. 47-60; where functional management and the core implementation team assess the novelty and priority of a project. A comparison of project ideas is also created.).

As per claim 3, Baker et al. teach:

The method of claim 1 wherein the organizational resources are selected from a group consisting of human resources, machine resources, computing resources, material resources and supplier resources (see p. 122; where organizational resources are listed. “People” are the same as human resources. “Equipment” is

the same as machine resources. "Technology" is the same as computing resources. "Materials and supplies" are also listed.).

As per claim 4, Baker et al. teach:

The method of claim 1 wherein the step of deploying the best practice idea includes communicating the best practice idea to organizational resources necessary to effectively carry out the best practice idea and requiring that the best practice idea be carried out by those organizational resources (see pp. 259-267; where information of the project idea and the project tasks are effectively communicated to the project team.).

As per claim 5, Baker et al. teach:

The method of claim 1 additionally comprising presenting the best practice idea to the process ownership team for approval prior to deployment of the best practice idea (see pp. 47-60; where functional management and an approval team approve the project.).

Claim 6 recites limitations already addressed by the rejection of claim 1; therefore the same rejection applies to this claim.

As per claim 7, Baker et al. fail to explicitly teach conducting a pilot of the best practice idea. It is old and well-known in the art to conduct a pilot of a project idea. The advantage of conducting a pilot is that it allows the implementation team to further collect functional usage data that further the project idea's effectiveness in improving the performance and efficiency of an organization. It would have been obvious, at the time of the invention, to one of ordinary skill in the art to conduct a pilot of the best

Art Unit: 3623

practice idea in order to further the improvement in performance and efficiency of the organization, which is a goal of Baker et al. (see p. 14).

As per claim 8, Baker et al. teach:

The method of claim 1 wherein the process ownership team comprises a steering team, a roundtable group and a best practice team (see pp. 50-51; where a functional management team includes supervisors, managers and vice presidents with an interest in the business processes being affected. The core implementation team consists of the project manager, other managers, and subject matter experts. The review and approval team consists of players involved in approving the details of the project idea. The review and approval team and functional management team is the same as the steering committee. The core implementation team is the same as the roundtable group and the best practice team.).

As per claim 9, Baker et al. teach:

The method of claim 8 wherein the steering team includes one or more process ownership team champions and one or more process ownership team leaders (see p. 50; where the functional management team includes supervisors, managers, and vice presidents with an interest in the business process being affected. The review and approval team consists of players involved in approving the details of the project idea. A functional management team and a review and approval team are the same as a steering committee.).

As per claim 10, Baker et al. teach:

The method of claim 9 wherein the one or more process ownership team champions are responsible for managing the process ownership team and chair the steering team (see p. 50; where the functional management team includes supervisors, managers, and vice presidents with an interest in the business process being affected. The review and approval team consists of players involved in approving the details of the project idea. A functional management team and a review and approval team are the same as a steering committee.).

As per claim 11, Baker et al. teach:

The method of claim 8 wherein the steering team includes one or more cross-functional representatives (see p. 50; where managers who have a fundamental interest but do not have a direct stake in the project idea are included in the functional management team. Managers with an interest but no direct stake in a project idea are cross-functional representatives.).

As per claim 12, Baker et al. teach:

The method of claim 8 wherein the steering team allocates organizational resources for the development of the best practice idea, provides approval to begin developing the best practice idea, and approves the developed best practice idea before it is implemented (see p. 50; where the review and approval team (steering team) allocates the budget and other resources to a project plan. It further approves the development of the project idea.).

As per claim 13, Baker et al. teach:

The method of claim 8 wherein the best practice team includes one or more subject matter experts, the best practice requester, one or more user and deployment representatives, and one or more financial analysts (see p. 51; where the best practice team includes expert players, such as engineers, design specialists, etc.).

As per claim 14, Baker et al. teach:

The method of claim 1 wherein one or more worksheet templates are utilized to document the identification, selection, development, and deployment of the at least one best practice idea (see p. 361-365; where computer software provides a standardization to run project management on. Features that software includes include standard reports that document analysis of a project, including the costs and scheduling of phases of a project.).

As per claim 15, Baker et al. teach:

The method of claim 14 wherein the one or more worksheet templates are electronic and are populated in an online fashion (see p. 361-365; where computer software can be networked and worked on virtually (online).).

As per claim 16, Baker et al. teach:

The method of claim 1 wherein information gathered while identifying, selecting, developing and deploying the at least one best practice idea is maintained in a computer database (see p. 365; where remote users can connect to the project management software through the world-wide-web. Remote users can access databases as well.).

As per claim 17, Baker et al. teach:

The method of claim 16 wherein the computer database is accessible and searchable via the Internet including the World-Wide-Web (see pp. 362-365; where information database can be reached via the Internet, including the Web.).

Claims 18-20 recite "best practices processes" which is the same as "best practices ideas" and limitations already addressed by the rejection of claims 1-17; therefore the same rejections apply to these claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are pertinent to the current invention, though not relied upon:

Bowman-Amuah (U.S. Patent No. 6289382) teaches a system, method, and article of manufacture are provided for delivering service via a globally addressable interface.

Guheen et al. (U.S. Patent No. 6473794) teaches a system, method, and article of manufacture are provided for planning the testing of components of an existing network framework.

Underwood (U.S. Patent No. 6601233) teaches a method of generating software based on business components.

Barnard et al. (U.S. Patent No. 6714195) teaches a system for deploying to a client accounting installation a general procurement and accounts payable application specifically configured for the client by an enterprise includes a database server for

Art Unit: 3623

maintaining on a storage device a database of templates describing procedures for assessing, preparing, developing, deploying and supporting the application, and for serving these templates to team members operating web-enabled terminals for coordinating, recording and tracking team activities with respect to the application while generating a description for adapting a front end server and an accounting system server to the requirements of the client.

Srinivasan et al. (U.S. Patent No. 6895382) teaches a method for implementing an off shore/off site activity in an organization, with most optimal skills transfer process.

Bowman-Amuah (U.S. Patent No. 6405364) teaches a system for building systems in a development architecture framework.

Buxbaum et al. (Buxbaum, Peter; Ferrell, Keith; Haapaniemi, Peter; Oltman, Seth; Winkleman, Michael; "The Chief Executive Guide to EBS (includes related articles)(Enterprise Business Solutions)"; *Chief Executive*, 1999) teaches the impacts of EBS systems on the corporate market.


Stylianou et al. (Stylianou, Anthony; Madey, Gregory R.; Smith, Robert D.; "Selection Criteria for Expert System Shells: A Socio-Technical Framework", *Communications of the ACM*, 1992) teaches the use of expert systems to capture and distribute critical expertise data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalyan K. Deshpande whose telephone number is (571) 272-5880. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


kkd


C. Michelle Tarae
Patent Examiner
Art Unit 3623